

REMARKS

The Office Action mailed July 10, 2008 has been carefully reviewed and considered. Claims 12-20 and 34, 35, 37 and 38 are previously pending. Claim 18 and 34-35, 37-38 have been allowed; Claims 12, 16, 17, 19 and 20 were rejected; and Claims 13-15 were objected to. The Applicants have amended Claims 12, 14 and 15 and have cancelled Claim 13. Reconsideration is respectfully requested.

The 35 U.S.C. § 103 Rejection

Claims 12-13 and 16-17 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Bailey (US 5,800,179) in view of Jones (US 1,642,151). The Applicants respectfully traverse.

In determining obviousness four factual inquiries must be looked into in regards to determining obviousness. These are determining the scope and content of the prior art; ascertaining the differences between the prior art and the claims in issue; resolving the level of ordinary skill in the pertinent art; and evaluating evidence of secondary consideration. Graham v. John Deere, 383 U.S. 1 (1966); KSR Int'l Co. v. Teleflex, Inc., No 04-1350 (U.S. Apr. 30, 2007) (“Often, it will be necessary . . . to look into related teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an **apparent reason** to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis **should be made explicit.**”) (emphasis added).

Although the Applicants disagree with the rejection of the office action, Applicants have incorporated objected to Claim 13 into Claim 12 to expedite prosecution and obtain an allowance on the case. Allowance of Claim 12 is respectfully requested.

Claims 16, 17, 19 and 20 are dependent on Claim 12. As stated above, Claim 12 is allowable over the cited references. Accordingly, Claims 16, 17, 19 and 20 are allowable for being dependent on an allowable base claim.

Conclusion

It is believed that this reply places the above-identified patent application into condition for allowance. Early favorable consideration of this reply is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

Dated: August 5, 2008

/Suvashis Bhattacharya/
Suvashis Bhattacharya
Reg. No. 46,554

Thelen Reid Brown Raysman & Steiner LLP
P.O. Box 640640
San Jose, CA 95164-0640
Tel. (408) 292-5800
Fax (408) 287-8040